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Greg Berberich
President

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James Rowe
Executive Director
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October 28, 2003

ORIGINAL

Ms. Marlene H. Dortch, Secretary Federal Communications Commission 445 12<sup>th</sup> Street, S.W., TW-A325 Washington, DC 20554 REJERZUZ (NSPLOTE)

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RE:

Ex Parte Notice

In the Matter of

Federal State Board on Universal Service, CC Docket No. 96-45

Dear Ms. Dortch:

Pursuant to FCC Rule 47 C.F.R. Section 1.1206(b), this communication is submitted to be filed in the above referenced docket. On October 21, 2003 I met with Commissioner Kevin J. Martin and his Senior Legal Advisor, Daniel Gonzalez. The primary focus of my remarks was on the ETC designation process in rural service areas, most particularly the casual and frivolous nature of the public interest determination offered by many state public utility commissions.

Respectfully submitted,

Jim Rowe

cc: Daniel Gonzalez

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